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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   )  
10   )     CASE NO. MJ10-269  
11       Plaintiff,                                    )     ND/FL 4:10CR46  
12   )  
13       v.    )  
14       FRANCO NICHOLAS PADGETT,                  )  
15   )  
16       Defendant.                                    )  
17   )

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18       Offense charged:     Burglary of Controlled Substance, Controlled Substance - Sell, Distribute  
19   or Dispense

20       Date of Detention Hearing:   June 25, 2010

21   The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
22   based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
23   that no condition or combination of conditions which defendant can meet will reasonably assure  
24   the appearance of defendant as required and the safety of other persons and the community.

25   FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

26       (1)     Defendant is charged in the Northern District of Florida. He is currently residing

01 in this District on a temporary basis. He is employed as a paid signature gatherer, and has  
02 worked on campaigns in several states.

03 (2) Defendant's past criminal history includes failures to appear and probation  
04 violations, and several false identification charges. There are two active, outstanding warrants  
05 for trespassing from the State of Missouri.

06 (3) Defendant poses a risk of nonappearance due to lack of recent ties to this district,  
07 a history of failure to appear and a failure to comply, pending matters in other court jurisdictions,  
08 active warrants, and recent substance abuse. Much of the information provided by the  
09 verification source was contradictory. Defendant also poses a risk of danger based on criminal  
10 history and history of failing to comply.

11 (4) There does not appear to be any condition or combination of conditions that will  
12 reasonably assure the defendant's appearance at future Court hearings while addressing the  
13 danger to other persons or the community. The charging District may wish to revisit the issue  
14 of detention at defendant's first appearance in that District.

15 It is therefore ORDERED:

16 (1) Defendant shall be detained pending trial and committed to the custody of the  
17 Attorney General for confinement in a correction facility separate, to the extent  
18 practicable, from persons awaiting or serving sentences or being held in custody  
19 pending appeal;

20 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
21 counsel;

22 (3) On order of a court of the United States or on request of an attorney for the

Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

- (4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 25th day of June, 2010.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge